



Broadcasting Notice of Consultation CRTC 2019-90

PDF version

Ottawa, 28 March 2019

Public record: 1011-NOC2019-0090

Call for comments on a new, annual digital media survey

The Commission calls for comments on a new, annual digital media survey, to be administered to all currently licensed Canadian broadcasting undertakings as part of the Commission's fall 2019 Annual Broadcasting Survey. The purpose of the new digital media survey would be to gather basic financial information on the digital media broadcasting activities of such undertakings that is necessary in order to gain a better understanding of those activities and of how they are changing in an increasingly digital environment.

*The deadline for the receipt of interventions is **14 May 2019**. Only parties that file interventions may file a reply to matters raised during the intervention phase. The deadline to file replies is **29 May 2019**.*

Background

1. The Commission currently collects data on traditional broadcasting activities via its Annual Broadcasting Survey. In regard to digital media broadcasting activities, the Commission collects financial information for hybrid video-on-demand services, and has access to third-party estimates, but does not collect primary data on the other digital media activities of Canadian broadcasters.
2. Pursuant to paragraph 4 of the Exemption order for digital media broadcasting undertakings,¹ which is set out in the appendix to Broadcasting Order 2012-409, the Commission has the authority to collect data relating to the activities of digital media broadcasting undertakings.
3. On 31 May 2018, the Commission issued a report entitled [*Harnessing Change: The Future of Programming Distribution in Canada*](#) (the Report). In the Report, the Commission noted that Canadians will increasingly rely on the Internet to discover and consume music, entertainment, news and information. It also highlighted the importance of understanding the shifts from traditional to digital media in Canada, and of identifying the various opportunities and risks for traditional broadcasters associated with the digital environment.

¹ "The undertaking submits such information regarding the undertaking's activities in broadcasting in digital media, and such other information that is required by the Commission in order to monitor the development of broadcasting in digital media, at such time and in such form, as requested by the Commission from time to time."

A new digital media survey

4. The Commission intends to launch a new, annual digital media survey, to be part of its Annual Broadcasting Survey for the fall of 2019. The survey would be administered to all currently licensed Canadian broadcasting undertakings (radio, television and distribution) in order to collect financial information on their digital media broadcasting activities for the 2018-2019 broadcast year, using the Commission's data collection system. As such, the survey would not be administered to any non-Canadian digital media broadcasting undertakings that provide services in Canada, or to any Canadian digital media broadcasting undertakings that are not associated with a licensed undertaking.
5. The Commission recognizes that the proposed survey would place an additional administrative burden on Canadian licensees. The Commission is of the view, however, that certain basic financial information relating to the digital media activities of licensees of broadcasting undertakings is essential for understanding the full scope of those activities, and for developing effective regulatory policy.
6. The data collected through the survey would inform the Commission and stakeholders on the evolution of online business models and their impact on traditional broadcasting services. It would also help ensure the creation of an accurate picture of the digital media activities of licensed Canadian broadcasting undertakings. Among the Commission's specific objectives for the survey are the following:
 - to obtain first-hand data on digital media in the Canadian broadcasting system in order to gain a better understanding of how licensees are adapting their activities in an increasingly digital environment, and of the overall state of the broadcasting system;
 - to initiate the collection of annual data in order to analyze and monitor trends;
 - to obtain baseline data in order to inform and measure the impact of any future Commission determinations affecting digital media broadcasting activities in Canada;
 - to inform the industry and all stakeholders on the state of digital media broadcasting in Canada through the publication of aggregate data; and
 - to collect only the minimum amount of information necessary to achieve the above objectives.
7. The Commission recognizes that certain broadcasters may be reticent or unwilling to share this commercially sensitive information with the Commission, particularly if the data is published, even in aggregate form. In this regard, for the proceeding initiated by Broadcasting Notice of Consultation 2017-359, which led to the publication of the Report, the Commission anticipated concerns arising from the commercially sensitive nature of the information it was requesting and ensured parties that such information would remain confidential. In regard to the current proceeding, the Commission requests comments on the appropriate level of confidentiality that should

be granted to information to be submitted as part of the digital media survey, as well as on the appropriate balance between the public interest benefits of disclosing such information when compared to the associated potential harm.

Call for comments

8. In light of the above, the Commission calls for comments on a new, annual digital media survey, to be administered to licensed broadcasting undertakings as part of its fall 2019 Annual Broadcasting Survey. The proposed survey form is set out in the appendix to this notice. Specifically, the Commission seeks comments on the following:
 - whether any of the items in the survey form should be modified or deleted, or whether any new items should be added, so as to ensure that the Commission receives an accurate picture of the digital media broadcasting activities of licensed Canadian broadcasting undertakings while minimizing the administrative burden that completing the proposed survey would place on them; and
 - the Commission's proposal to collect data by service.
9. The Commission also seeks comments on its proposal to publish, on an aggregate basis, data on digital media broadcasting activities in Canada to be provided on the survey form, and the appropriate level of confidentiality that should be granted to any information provided on the survey form, including the public interest benefits of disclosing the information when compared to the associated potential harm.

Procedure

10. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, answers, replies and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and related documents, which can be found on the Commission's website under "[Statutes and Regulations](#)." The guidelines set out in Broadcasting and Telecom Information Bulletin 2010-959 provide information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.
11. The Commission invites interventions that address the issues set out above. The Commission will accept interventions that it receives on or before **14 May 2019**. Only parties that file interventions may file a reply to matters raised during the intervention phase. The deadline for the filing of replies is **29 May 2019**.

12. The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.
13. Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line *****End of document***** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
14. Pursuant to Broadcasting and Telecom Information Bulletin 2015-242, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats.
15. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

by completing the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

16. Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that filing, or where required, service of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed or served. The Commission advises parties who file or serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.
17. In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.

18. The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

Important notice

19. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, fax, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, telephone and fax numbers, etc.

20. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

21. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

22. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

Availability of documents

23. Electronic versions of the interventions and of other documents referred to in this notice, are available on the Commission's website at www.crtc.gc.ca by visiting the "Have your say!" section, then selecting "our open processes." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.

24. Documents are also available at the following address, upon request, during normal business hours.

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage, Room 206
Gatineau, Quebec
J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Toll-free telephone: 1-877-249-2782

Toll-free TTY: 1-877-909-2782

Secretary General

Related documents

- *Call for comments on the Governor in Council's request for a report on future programming distribution models*, Broadcasting Notice of Consultation CRTC 2017-359, 12 October 2017
- *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- *Amendments to the Exemption order for new media broadcasting undertakings (now known as the Exemption order for digital media broadcasting undertakings)*, Broadcasting Order CRTC 2012-409, 26 July 2012
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010

Appendix to Broadcasting Notice of Consultation CRTC 2019-90

Proposed Digital Media Survey Form

Service Name

Filed under the authority of the *Broadcasting Act*

Protected B when completed

Service Type:

Revenues

Subscription revenues

Advertising revenues

Other revenues (specify type)

Total Revenues

Are any of these revenues included in other reports to the CRTC?

If yes, indicate which lines and in which reports to the CRTC.

Expenses

Content-related expenses

Expenses related to producing content

Expenses related to repurposing content

Expenses related to acquiring content (includes licensing/royalty fees)

Other content-related expenses (specify type)

Total content-related expenses

Non content-related expenses

Technical expenses (for example, expenses relating to overall operational costs of digital media properties, bandwidth costs, supplies specific to digital media, technical consultant services)

Sales and promotion expenses (for example, expenses relating to advertising and sales teams, as well as commissions/payments to other sites, such as search engines and links, for driving traffic to the site)

Administration and general expenses

Other non-content-related expenses (specify type)

Total non-content-related expenses

Total Expenses

Canadian programming expenses

Expenses related to producing Canadian content

Expenses related to repurposing Canadian content

Expenses related to acquiring Canadian content (includes licensing/royalty fees)

Other Canadian content-related expenses (specify type)

Total Canadian content-related expenses

Are any of these expenditures included in other reports to the CRTC?

If yes, indicate which lines and in which reports to the CRTC.

Number of subscriptions (as of 31 August)

Pay subscriptions

Number of subscriptions paying full posted price

Number of subscriptions paying a discounted rate (bundle, new customer, etc.)

Total number of pay subscriptions

Free subscriptions

Total number of free subscriptions

Total number of subscriptions